

18 July 1955

The Honorable Dennis Chavez, Chairman
Department of Defense Subcommittee
Senate Committee on Appropriations
Washington 25, D. C.

Dear Mr. Chairman:

I greatly appreciated the opportunity of appearing before your Subcommittee on July 15th in support of our request for appropriations to construct a headquarters installation for the Central Intelligence Agency. CIA believes that the sites at Langley and at Alexandria, Virginia, are the two areas which deserve most serious consideration. As we indicated, our preference is for the site on the Government-owned land at Langley. We have made this determination after carefully considering more than 30 possible sites in or near the metropolitan area of the District of Columbia.

The Langley site is as accessible to the homes of our employees as our present location, and hence relocations of the residences of the bulk of our personnel would be unnecessary. It compares very favorably with other sites under consideration in terms of accessibility to other Government agencies with which we must be in constant contact. A far greater measure of security protection could be attained at the Langley site in view of the fact that the building itself would be further from the public highways than at other sites, and it would be bordered on three sides by Government-owned land under control of the Bureau of Public Roads and the National Park Service. It would be a simple matter to limit access to the site itself to those persons having legitimate business with the Agency, while at the same time not interfering in any way with the public use of the Memorial Parkway and Highway 123. I am convinced that, with the exception of the cost of the extension of the George Washington Memorial Parkway, the selection of the Langley site would not be an additional burden on the taxpayer. Moreover, the law providing for the Memorial Parkway has been on the statute books for twenty-five years, and the Parkway's completion and connection with the proposed Cabin John Bridge and the Outer Belt highway are a part of the master plan for the development of the metropolitan area.

While I understand the reluctance on the part of a few residents of the area to have this site selected, there is no question but that this minority is very small indeed, and that Fairfax County, including its elected officials, wholeheartedly welcomes the possibility of CIA locating at the Langley site. We certainly wish to consider the wishes of the residents in any area where we might locate. In this case we feel that the fears of the minority regarding the impact of CIA locating in their community are greatly exaggerated. In any case, however, it seems clear that, all things considered, the CIA would be better able to perform its functions from this location than others under consideration, and this factor should, I believe, be controlling.

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In view of what I believe to be many misleading statements and inaccuracies submitted to your Committee by opponents to the Langley site, I am attaching herewith a more detailed additional statement to my testimony which I respectfully request be considered by your Committee in its deliberations and incorporated in the record.

Respectfully yours,

/s/

Allen W. Dulles
Director

ADDITIONAL MEMORANDUM OF MR. ALLEN W. DILLIES, DIRECTOR OF CENTRAL INTELLIGENCE, IN CONNECTION WITH THE REQUEST FOR AN APPROPRIATION TO CONSTRUCT A HEADQUARTERS INSTALLATION FOR THE CENTRAL INTELLIGENCE AGENCY.

After careful examination of more than thirty sites in or near the metropolitan area of the District of Columbia, the Central Intelligence Agency believes that Langley, Virginia, and Alexandria, Virginia, are the two areas which deserve most serious consideration.

CIA would prefer to locate its new headquarters installation authorized by P.L. 161 at the site of the Research Station of the Bureau of Public Roads at Langley, Virginia, on approximately 100 acres of this 300 acre tract of Government land. This acreage, at least, is needed for a building site with its access roads, adequate parking space for its employees, and for security reasons.

CIA prefers the Langley site because it is easily accessible to the large majority of the Agency's employees, and its final selection would necessitate, at most, a very small relocation of personnel residences. Distances to and from the site for Agency personnel would be shorter, over less congested routes, and during morning and evening rush hours transportation would be moving in a direction opposite to that of the bulk of traffic. The land is already owned by the Government and would preclude the necessity of purchasing a site elsewhere. The property lends itself to greater seclusion and better security than other sites under consideration. This site compares favorably with other possible sites in terms of accessibility to the other Government agencies with which the Agency must be in daily contact. In addition, should it be necessary for the CIA to expand because of a national emergency, additional Government-owned land would be adjacent to the proposed site.

CIA has consulted with the elected officials of Fairfax County with regard to this site since November 1954. The Board of County Supervisors of Fairfax County have, by formal resolution, extended an invitation to CIA to occupy this site. The Planning Commission of Fairfax County has formally stated to the County Board of Supervisors their views upon the desirability of the CIA location at Langley, and their Chairman has stated that in this expression the Commission feels that they have correctly expressed the overwhelming majority sentiment of Fairfax County residents. Similar invitations have been expressed by the Fairfax County Chamber of Commerce representing more than 450 members without dissent, the McLean Business Association, and the Great Falls Grange No. 738 with a membership of 242.

It has been alleged before your Committee that CIA has dealt secretly in considering the selection of a site for this installation. This Agency has for months been negotiating on site selection with the National Capital Planning Commission, the National Capital Regional Planning Council, and the planning agencies of all of the areas surrounding the District of Columbia, and with the elected officials of many of these areas. It is true that during this period CIA has issued no public statements, for good and sufficient reasons. It is considered that

such statements would be improper prior to our taking this matter up with the Congress, and we did not wish any statement of ours to provoke real estate speculation. The stories which have appeared in the press have emanated from sources other than CIA.

The Central Intelligence Agency naturally understands the feelings of some of the residents of the Langley area who, rightly or wrongly, feel that the comparative seclusion of their community may be somewhat impaired by the Agency's location at the Langley site. There seems to be no question but that, with the exception of this very small minority, Fairfax County wholeheartedly welcomes the CIA. Furthermore, because of the accessibility of the Langley site to the homes of such a large percentage of CIA personnel it does not seem probable that the location of the CIA building at Langley in and of itself would have a very great impact or cause a great influx of permanent residents.

The Agency feels that it is its primary duty, while taking into account the feelings of the residents, to attempt to select that site which will best facilitate the carrying out of its work in the public interest. Among the factors we have considered are: accessibility to the homes of its employees and to the Government agencies with which it does business and provision for maximum security protection.

In March the McLean Citizens Association by a vote of 105 to 80 voted against CIA occupying the Langley site. Approximately 50 persons who were present at that meeting did not vote. Since that time one of the most prominent of the citizens present at that meeting, the Editor and Publisher of the McLean weekly newspaper, who voted in opposition to CIA at Langley, has changed his opinion on this matter and testified before your Committee in favor of the Langley site. In his testimony he stated that the information given to the Association by those in opposition at the time the vote was taken was, in his opinion, "grossly exaggerated and presented a picture far from the truth."

In order for CIA to occupy the Langley site, it is necessary to improve the site's accessibility by the extension of the George Washington Memorial Parkway from its present terminus at Spout Run approximately 3-1/2 miles below Chain Bridge to the Langley site, a distance of approximately 7 miles. The authorization for this Parkway has been on the statute books for 25 years. The Capper-Crampton Act of May 29, 1930 (46 Stat. 482), as amended, states:

"Such funds shall be appropriated as required for the expeditious, economical, and efficient development and completion of the following projects:

"(a) For the George Washington Memorial Parkway, to include the shores of the Potomac, and adjacent lands, from Mount Vernon to a point above the Great Falls on the Virginia side, except within the City of Alexandria,"

In the face of this clear statutory pronouncement, opponents to the CIA use of the Langley site have testified that there was no specific authorization for a highway on the Virginia side until the authorization to CIA contained in the Military Construction Act of 1955. In view of this testimony we have requested an opinion from the General Counsel of the National Capital Planning Commission regarding the Parkway, and a copy of his opinion is attached herewith. In the opinion of the General Counsel there is no doubt that the Capper-Crampton Act, as amended, is a clear expression of Congressional intent to provide for the construction of the highway on the upstream portion of the Virginia side of the George Washington Memorial Parkway. It was contended before your Committee that as an alternative to CIA occupation of the Langley site the National Capital Planning Commission take over this property for park purposes. However, the Capper-Crampton Act does not authorize such action. As the General Counsel of the National Capital Planning Commission has pointed out in his opinion, the Capper-Crampton Act provides that:

"The National Capital Park and Planning Commission is authorized to occupy such lands belonging to the United States as may be necessary for the development and protection of such parkway. . ."

This language in the opinion of counsel does not permit the Commission to take over land along the Potomac entitled in the United States merely for park purposes. It can be occupied by the Commission only when such land is "necessary for the development and protection of said parkway." In acquiring the land along the Potomac River for the Parkway extension, the Commission has determined the amount of land necessary for this purpose and the remainder of it has long since been allocated for the Bureau of Public Roads installation. It should also be noted that the National Capital Planning Commission started acquiring rights of way for the Parkway extension from Spout run to a point slightly above Chain Bridge without any consideration to the possibility that CIA might at some time occupy the Langley site. Funds have been included in the NCPC budget for this purpose. These funds may not, however, be sufficient to acquire all of the rights of way to the Langley site, and for this reason the Congress in the Military Construction Act of 1955 authorized CIA to transfer certain funds to the Commission for this purpose.

Testimony before your Committee that the Memorial Parkway will not go beyond Langley is true only as it applies to the present fiscal year. As stated above, the law authorizes the construction of the Parkway to the Great Falls and the published plans of the National Capital Planning Commission for the area development of the national Capital call for the ultimate completion of the Parkway, including its connection with the proposed Cabin John Bridge and the Outer Belt highway.

In response to questions raised by members of your Committee, it should be noted that the Memorial Parkway at the Langley site will be

located on land presently controlled by the National Park Service, which land extends from the northern boundary of the Public Road installation to the Potomac River. Thus, the Parkway will lie between the site and the River.

The CIA site will be reached on the north by a short connecting link from the Parkway to the site, and can be controlled so as to permit access only to those who have official business with the CIA. However, in further reply to certain questions asked during the hearing of 15 July, since neither the Parkway nor Route 123 would pass through the CIA area itself and the building would be reasonably well screened from these roads, it is believed that in and of itself the location of CIA at this site would not necessitate closing either of these roads to the general public in time of national emergency.

The Office of the Commissioner of Highways (Virginia), in a letter dated 23 May 1955 to the County Executive of Fairfax County, stated that in view of the probability of a CIA installation near Langley they had allocated \$100,000 for the present fiscal year for the widening of Route 123 from Chain Bridge west, with a reasonable expectation for additional funds in the next fiscal year. The Highway Commissioner of Virginia wrote to the Fairfax County Executive on 9 June that the cost of widening Route 123 to a 4-lane highway from its intersection with the George Washington Memorial Parkway below the Langley site to its intersection with Route 193 above the site would be provided at their expense, and that this would be done concurrently with the development of the Parkway extension. On 9 June this matter was discussed with Governor Stanley of Virginia, and the meeting resulted in complete assurances of this concurrent improvement. While this may be an acceleration in the plans of the State of Virginia for the development of Highway 123, such plans have been in existence for future implementation and extend beyond the present commitments.

The testimony of Mr. Boothe, Delegate from Alexandria to the Virginia House of Delegates and attorney for Mr. Winkler, indicates official action by the City Council of Alexandria guaranteeing the building of access roads if the Winkler tract should be selected. In addition, the present traffic load on the Shirley Highway is such that its widening to handle the present traffic load from the Pentagon to the South is definitely under consideration. Thus, it would appear that the costs for road expansion at Alexandria and Langley are comparable, and much of such expansion is in contemplation whether or not CIA selects either of these locations.

It should be noted in connection with an Alexandria site, that on the basis of the present residences of CIA employees almost two-thirds of their number would have to travel through the District of Columbia at the height of the morning and evening rush hour, with a large concentration at the Memorial Bridge and the proposed new Constitution Avenue bridge, and moving in the same direction as the bulk of traffic as far as the Pentagon. On the other hand, if Langley is selected, this situation would be eased somewhat in view of the fact that 40% of CIA personnel live in the Northwest area of Washington and Montgomery County. They

would use Key and Chain Bridges, and eventually the proposed new Cabin John Bridge, to the Langley site and will be travelling to and from work in the opposite direction from the flow of traffic.

In its resolution of May 4, 1955, inviting the CIA to use the Langley site, the Board of Supervisors of Fairfax County assured the Agency "that the Fairfax County Government stands ready to cooperate fully in all matters under its own responsibilities." In its resolution of 18 May the Board authorized the forwarding of a letter to CIA stating "that the county can assure within two years from this date the availability of sewers for the facility contemplated on a basis of charges on rentals for such sewer service at figures which will not exceed the regular charges elsewhere in the county." We have further been informed that no part of the \$250,000-\$300,000 which this construction will cost will be borne by the Federal Government. Moreover, the cost of this additional link will not be a cost to the taxpayers. It is simply a financing program to provide a service and would be self-supporting by virtue of its revenue.

It should be noted that Fairfax County voted a \$20,000,000 integrated sewer system in 1953, and a \$2,000,000 unit of this system is presently being installed in the McLean-Langley area. Therefore, bringing of this link to the boundary of the CIA property is but a small part of the overall system in that area.

The City of Falls Church has assured CIA of its ability to supply water for the installation, and it does not require financial help from the Federal Government to make this possible. The City has funds available in the sum of approximately \$5,000 to extend the existing water main some 1,500 feet to serve the site.

In view of the above facts regarding the water and sewer system availability to the Langley site, we are at a loss to explain the statement submitted to your Committee by an opponent of our occupancy that the Langley site would cost taxpayers \$2 million in County funds for utilities. CIA would merely become a paying customer for services rendered as at any site.

A witness opposing CIA location at Langley submitted a statement to your Committee that the CIA building would have room for over 15,000 persons. In his oral testimony he raised this figure to 16,000. As the Committee knows, these figures are grossly exaggerated.

The same witness testified to his assumption that CIA personnel turned over at a rate of 20% a year. This figure is also grossly exaggerated.

During the hearing before your Committee on 15 July, a statement was submitted by the Alexandria Chamber of Commerce to the effect that the so-called Winkler Tract would cost \$200,000. An opponent to the Langley site stated that its cost would only be \$175,000. Delegate Boothe, one of Mr. Winkler's attorneys, stated that the cost would be \$275,000.

Mr. Winkler has been in touch with CIA in connection with the possible purchase of his tract and has offered 85 acres at a total cost substantially in excess of those quoted above. Furthermore, these quotations are substantially below those in this general area which have been submitted to date.

It is believed that acquisition of at least 100 acres in this general area will require from \$500,000 to \$1,000,000, and since no definite selection has been made sufficient flexibility to insure acquisition of adequate acreage is necessary. In any case, it is contemplated that property would be acquired through normal Government procedures at fair market value with the actual expenditures kept to a minimum. Accordingly, we have asked for an appropriation of not to exceed \$1,000,000 for the purchase of a site in order that we may have the necessary leeway for negotiation if the purchase of at least 100 acres becomes necessary.

From the above facts it is apparent that insofar as construction of a CIA building is concerned the cost of the building construction itself will not vary appreciably as between the Langley site or an Alexandria site. Insofar as the expenditure of Federal funds is concerned, a site in Alexandria could presumably be acquired for something less than \$1,000,000, whereas the Langley site is on Government-owned land. If the Langley site is utilized, it will cost the Government an additional 8.5 million dollars for the extension of the George Washington Memorial Parkway. However, this Parkway has long been authorized, and its completion is a part of the master plan for the development of the metropolitan area of the District of Columbia and its environs. Its acceleration will not change the eventual expenditure and it will permit this Agency to occupy a preferred site with sufficient Government-owned acreage surrounding it to give security protection.

It is believed that the foregoing clearly indicates that with the exception of the cost of the extension of the George Washington Memorial Parkway, which the Federal Government will eventually incur in any case, the selection of the Langley site will in no way be an increased burden on the taxpayer and that statements to the contrary by opponents of the Langley site are grossly misleading.

Further, in view of its easier accessibility to Agency employees, comparable accessibility to other Government agencies, far better security, and capacity for expansion if necessary, it is considered by us to be the best of those sites under consideration.

NATIONAL CAPITAL PARK AND PLANNING COMMISSION

RECONSTITUTED AS

NATIONAL CAPITAL PLANNING COMMISSION

JULY 19, 1952

Colonel L. K. White
Central Intelligence Agency
2430 E Street, N.W.
Washington 25, D. C.

INTERIOR BUILDING,
WASHINGTON, D. C.
July 15, 1955

Dear Colonel White:

You have asked me, as General Counsel of the National Capital Planning Commission, for my opinion as to this Commission's statutory authority pertaining to certain phases of the George Washington Memorial Parkway on the Virginia side of the Potomac and, particularly, as to contentions made to the Senate Appropriations Committee today by Mr. Roger D. Fisher about the Commission's authority.

The Act of May 29, 1930, 46 Stat. 482, as amended, authorized the acquisition of land for the George Washington Memorial Parkway and authorized appropriations for the land and for the development of the Parkway with a highway as a part thereof on the Virginia side of the Potomac from Mt. Vernon to Great Falls, exclusive of Alexandria, and on the Maryland side from Fort Washington to Great Falls, exclusive of the District. That Act vested in the Planning Commission certain authority and duties pertaining to the Parkway.

Section 1(a) of the Act incorporated the Mt. Vernon Memorial Highway, authorized by the Act of May 23, 1928, as a part of the George Washington Memorial Parkway. That Highway, constructed with Federal funds, connected Mt. Vernon with the Arlington Memorial Bridge. Section 1(a) authorized the construction with Federal funds of a highway on the Virginia side to complete the Parkway to Great Falls, but prohibited the use of Federal funds, except as a part of the Federal-aid highway program, for the highway from Fort Washington to the Great Falls on the Maryland side. A connecting free bridge was authorized across the Potomac at or near Great Falls.

From the meaning of the word "parkway," with which Section 1(a) deals almost exclusively, it is clear that Congress intended to authorize the construction of a scenic highway. The 1914 edition of Webster's International Dictionary was the first edition of that dictionary which contained the word "parkway." The 1914 definition was only "A broad thoroughfare beautified with trees and turf." Each new edition of Webster's International published since 1914 contained the same definition without more. The Act of 1930 was enacted fifteen years after the word appeared for the first time in Webster's. It is a cardinal rule of law that when Congress uses a word without defining it, the word is intended to have the ordinary or usual dictionary meaning. In view of the fact that it has only one such meaning, I cannot see how any contention can

successfully be maintained that the George Washington Memorial Parkway or any part of it must be merely a large park.

Further, the legislative history of the Act of August 8, 1946, 60 Stat. 960, amending the original Act, clearly proves that Congress, in passing the original Act, intended to authorize a highway upstream on the Virginia side.

Speaking of the highway provided between Fort Washington and Great Falls on the Maryland side, the third proviso of Section 1(a) of the original Act reads as follows:

"Provided further, That no money shall be expended by the United States for the construction of said highway on the Maryland side of the Potomac, except as part of the Federal-aid highway program: ..."

The foregoing quoted language prohibited the expenditure of Federal funds for a highway on the Maryland side, except as a part of the Federal-aid highway program, but did not prohibit the expenditure of Federal funds for such a purpose on the Virginia side.

The fourth proviso of Section 1(a) of the original Act permitted the Federal Government to advance, on a reimbursable basis, funds for the Maryland or Virginia shares of the acquisition costs of the lands "and the construction of said roads in any such unit referred to in this" section. (Underscoring supplied.) As this language included the Virginia side, and the Mt. Vernon Memorial Highway already extended downstream from the Memorial Bridge to Mt. Vernon, it could only refer to the Virginia side of the Parkway from the Memorial Bridge upstream to Great Falls.

The 1946 amending Act struck out all of the third proviso of Section 1(a) of the original Act and struck out the words "and the construction of said roads" in the fourth proviso of that section. Language appearing in the Senate Committee report (S. Rept. No. 1766, 79th Cong., accompanying S. 2286) explains the third reason for striking out the third proviso and the six words from the fourth proviso of the original Act. The explanation reads as follows:

"Sections 1 and 2 of the bill, as reported by the committee, would amend sections 1(a) and 1 (b) of the George Washington Memorial Parkway Act of May 29, 1930 (46 Stat. 482) to eliminate from those sections so much of the language thereof as prohibits expenditure by the United States of any money for the construction of the George Washington Memorial Parkway on the Maryland side of the Potomac, except as part of the Federal-aid highway program. These prohibitions contained in existing law are applicable only to the construction of that part of the parkway on the Maryland side of the Potomac River and do not apply to that portion of the parkway on the Virginia side of the Potomac River. There appears to be no good reason for the discrimination. The committee is, therefore, of the opinion that it should be eliminated."

From the language of the report quoted above, it is obvious that Congress intended that the upper Virginia portion of the Parkway should have a road or highway because Congress had given permissive authority to spend Federal funds specifically for such a highway. Attached hereto and made a part hereof are photostatic copies of excerpts of the Congressional Record of July 29, 1946 and August 1, 1946, setting forth, respectively, the entire debate in the Senate and House which occurred on the bill. These make it doubly clear that Congress originally intended (and reaffirmed that intention in 1946) to provide for the construction of highways on the upstream portion of the Virginia side of the George Washington Memorial Parkway.

Mr. Fisher is mistaken in saying that the Act of 1930 "authorized the National Capital Planning Commission to take over all or most of the proposed site at Langley for park purposes." The only provision of that Act to which he could have referred reads as follows:

"The National Capital Park and Planning Commission is authorized to occupy such lands belonging to the United States as may be necessary for the development and protection of said parkway ..." (Underscoring supplied.)

The above quoted language does not refer in any way to the "site at Langley" nor does it permit the Commission "to take over" land along the Potomac entitled in the United States merely for park purposes. On the contrary, land so located and belonging to the United States, but under the control and jurisdiction of other Federal agencies, may be occupied by the Commission only when such land is "necessary for the development and protection of said parkway." The Commission has determined that a portion of the land involved is necessary for the authorized purpose. Of course, had the Commission determined that all of the land was necessary, the Commission would have acted properly and within its statutory authority in making such a determination. But the Commission's determination was not so inclusive and the statutory language certainly does not make it mandatory for the Commission to occupy all of any such tract of land.

If I may be of further service to you or your Agency, please call on me.

Sincerely yours,

/s/ William S. Cheatham

William S. Cheatham
General Counsel

Att.